

IRSTI 10.23.01

<https://doi.org/10.26577/JAPJ202511429>**A.O. Syurikpayeva** Kunaev University, Almaty, Kazakhstan  
e-mail: as\_asel.084@mail.ru

## **SOME CONSUMER PROTECTION ISSUES IN ELECTRONIC COMMERCE**

With modern development, digitalization in many countries is becoming a strategic priority area of economic development. The digital economy is an economic activity carried out through the internet, mobile communications, digital technologies, that is, virtual reality, in economic relations on production, distribution, exchange and consumption.

The author gives a number of author's recommendations in the article for the systematic formation of the structure of an online store, e-commerce to increase the competitiveness of e-commerce, indicating that in addition to effective opportunities in the development of e-commerce, there are risks that threaten. Among them are the creation of a national research organization to improve the conditions for the development of digital business, the provision of land by the state for the construction of warehouses in the regions in the development of digital commerce, as well as the improvement of logistics networks, the use of new innovative models in the technological modernization of certain sectors of the economy, the introduction of new types of business plans, the approval of modern structures of public service.

Given the dynamic development of digital business, in addition to traditional trade, IT specialists are in high demand in accordance with the requirements of the time. At the same time, the author emphasizes the need to take state measures to train specialists in the field of digital commerce, including the organization of special courses or programs for rural residents in the regions.

In order to strengthen the protection of consumer rights, the new version of the law «On protection of Consumer Rights» provides for additional regulatory measures. As we all know, such refined concepts as «electronic sales platform (marketplace)», «online store» and «information and advertising platform» have been introduced into the law. At the same time, the author proposes to introduce the term «e-commerce» and give it a scientifically consistent definition. According to the author, e-commerce contributes to the settlement of issues of consumer violations that occur when ordering services and works with a mobile phone.

The article also proposes to ensure the mandatory protection of personal data about consumers and supplement the inadmissibility of claims by entrepreneurs that violate and (or) oppress the rights and legitimate interests of consumers.

**Keywords:** digital economy, e-commerce, consumer, consumer rights, seller, buyer, digital environment, online store.

А.О. Сюрикпаева

Қонаев университеті, Алматы, Қазақстан  
e-mail: as\_asel.084@mail.ru

### **Электрондық сауда жасауда тұтынушылардың құқықтарын қорғаудың кейбір мәселелері**

Қазіргі заманғы даму кезінде көптеген елдерде цифрландыру экономикалық дамудың стратегиялық басым саласына айналууда. Цифрлық экономика – бұл өндіріс, бөлу, айырбастау және тұтыну жөніндегі экономикалық қатынастардағы интернет, ұялы байланыс, цифрлық технологиялар, яғни виртуалды шындық арқылы жүзеге асырылатын экономикалық қызмет.

Автор мақалада электрондық сауданы дамытуда тиімді мүмкіндіктермен қатар, қауіп төндіретін тәуекелдердің орын алатындығын көрсете отырып, электрондық сауданың бәсекеге қабілеттілігін арттыру үшін интернет-дүкен, электрондық коммерция құрылымын жүйелі түрде қалыптастыру үшін бірқатар авторлық ұсыныстар береді. Олардың қатарында цифрлық бизнестің даму жағдайын көтеру үшін Ұлттық ғылыми-зерттеу ұйымын құру, цифрлық коммерцияны дамытуда өңірлерде қоймалар салу үшін мемлекет тарапынан жермен қамтамасыз ету, сондай-ақ логистикалық желілерді жетілдіру, экономиканың жекелеген секторларын технологиялық тұрғыда қайта жаңғыртуда жаңа инновациялық үлгілерді пайдалану, бизнес-жоспарлардың жаңа түрлерін енгізу, халыққа қызмет етудің заман талабына сай құрылымдарын бекіту сияқты ұсыныстар бар.

Дәстүрлі саудадан бөлек, цифрлық бизнестің қарқынды дамып жатырғандығын ескерсек, уақыт талабына сай ІТ мамандары жоғары сұранысқа ие. Осы ретте, автор цифрлық коммерция саласында мамандарды даярлау бойынша мемлекеттік іс-шаралар қабылдау қажет екендігін, оның ішінде өңірлердегі ауыл тұрғындары үшін арнайы курстар немесе бағдарламалар ұйымдастырудың қажет екендігін алға тартады.

Тұтынушылардың құқықтарын қорғауды күшейту мақсатында «Тұтынушылардың құқықтарын қорғау туралы» заңның жаңа редакциясында қосымша реттеу шаралары көзделген. Барша-мыз білетіндей, Заңға «электрондық сату алаңы (маркетплейс)», «интернет-дүкен» және «ақпараттық-жарнамалық алаң» сияқты нақтыланған ұғымдарды енгізді. Осы ретте, автор «электрондық коммерция» терминін енгізіп, оған ғылыми дәйекті түрде анықтама беруді ұсынады. Автордың пікірінше, электрондық коммерция ұялы телефонмен қызметтер мен жұмыстарға тапсырыс беру кезінде орын алатын тұтынушылардың құқықтарын бұзу мәселелерін реттеуге септігін тигізеді деп санайды.

Сондай-ақ мақалада тұтынушылар туралы дербес деректерді қорғауды міндетті түрде қамтамасыз ету және кәсіпкерлердің тұтынушылардың құқықтары мен заңды мүдделерін бұзатын және (немесе) қысым жасайтын талаптарға жол бермеуін толықтыру ұсынылады.

**Түйін сөздер:** цифрлық экономика, электрондық коммерция, тұтынушы, тұтынушылардың құқықтары, сатушы, сатып алушы, цифрлық орта, интернет-дүкен.

А.О. Сюрикпаева

Университет Кунаева, Алматы, Казахстан  
e-mail: as\_asel.084@mail.ru

### **Некоторые вопросы защиты прав потребителей в электронной торговле**

При современном развитии во многих странах цифровизация становится стратегически приоритетной областью экономического развития. Цифровая экономика – это экономическая деятельность, осуществляемая через интернет, мобильную связь, цифровые технологии, то есть виртуальную реальность, в экономических отношениях по производству, распределению, обмену и потреблению.

Автор дает в статье ряд авторских рекомендаций по систематическому формированию структуры интернет-магазина, электронной коммерции для повышения конкурентоспособности электронной торговли, показывая, что наряду с выгодными возможностями в развитии электронной торговли существуют рискованные риски. В их числе создание Национальной научно-исследовательской организации для поднятия условий развития цифрового бизнеса, обеспечение государством земли для строительства складов в регионах развития цифровой коммерции, а также совершенствование логистических сетей, использование новых инновационных моделей в технологической модернизации отдельных секторов экономики, внедрение новых видов бизнес-планов, современное обслуживание населения есть такие рекомендации, как крепление конструкций сайдинга.

Помимо традиционной торговли, учитывая динамичное развитие цифрового бизнеса, спрос на IT-специалистов, отвечающих требованиям времени, высок. При этом автор отмечает, что необходимо принять государственные меры по подготовке специалистов в сфере цифровой коммерции, в том числе организовать специальные курсы или программы для сельских жителей в регионах.

В целях усиления защиты прав потребителей в новой редакции Закона «О защите прав потребителей» предусмотрены дополнительные меры регулирования. Как известно, в Закон включены такие конкретные понятия, как «электронная торговая площадка (маркетплейс)», «интернет-магазин» и «информационно-рекламная площадка». При этом автор предлагает ввести термин «электронная коммерция» и дать ему научное обоснование. По мнению автора, электронная коммерция будет способствовать урегулированию вопросов нарушения прав потребителей при заказе услуг и работ по мобильному телефону.

Также в статье предлагается обеспечить обязательную защиту персональных данных о потребителях и дополнить недопущение предпринимателями требований, нарушающих и (или) ущемляющих права и законные интересы потребителей.

**Ключевые слова:** цифровая экономика, электронная коммерция, потребитель, права потребителей, продавец, покупатель, цифровая среда, интернет-магазин.

## Introduction

In the current era of development, digitalization is becoming an area of strategic priority for economic development in many countries. The digital economy is economic activity conducted via the internet, mobile communications, and digital technologies—that is, virtual reality—within economic relations pertaining to production, distribution, exchange, and consumption (<http://www.eurasiancommission.org/>).

We are living in the age of the «Fourth Industrial Revolution,» a time when global digitalization has permeated the daily lives of people, online trade is gradually replacing traditional retail in physical stores, and the borders between states have become blurred due to global access to all manner of goods and services.

In other words, the 21st century is the age of e-commerce, which is erasing national borders and acquiring a global scale. Electronic commerce has become firmly embedded in the daily activities of large and small firms, as well as individual citizens.

E-commerce is intrinsically linked to the development of the Internet, which has encompassed all aspects of public life. The evolution of the Internet has led to the creation of electronic communication channels that connect the economic interests of business entities with the personal interests of individuals. The Internet has become not only a mechanism for communicative interaction but also a mechanism for organizing electronic information space and a catalyst for the creation of a new form of business – electronic business. The Internet has enabled businesses to transition to a new stage of development, one that is fundamentally different from the classical commodity stage. Its characteristic feature is the global expansion of its boundaries, achieved by providing sellers with access to the maximum possible consumer audience for all their needs.

One of the primary tasks for the stable development of the economic situation in the Republic of Kazakhstan is human capital. Human capital, in turn, is foundational to achieving a high standard of living for its people and gaining recognition among OECD (The Organisation for Economic Co-operation and Development) countries, as outlined in the nation's Strategic Development Plan (<https://adilet.zan.kz/>).

Today, there are ample opportunities to create specialized ecosystems within Kazakhstani com-

panies by utilizing new innovative models for the technological modernization of individual economic sectors, developing new types of business plans, and establishing customer service structures that meet contemporary demands (<https://adilet.zan.kz/>). An analysis of scientific literature, research, and legislation attests that the development of digital trade and the provision of online services to consumers are among the pressing issues not only within our state but also on a global scale.

## Materials and methods

In the course of writing the article, the author extensively employs general scientific methods of cognition, such as comparative-legal, historical-legal, normative-comparative, synthesis, systemic analysis, logical analysis, abstraction, and methods of analogy. From the perspective of the legal regulation of the topic, the author analyzes existing legislation and scrutinizes the norms of normative legal acts.

## Discussions and results

The primary trend in the development of e-commerce is globalization. The e-commerce sector contributes to the creation of new jobs, the growth of tax revenues, and the attraction of investments. In economic literature, there is no consensus on the definition of e-commerce (e-commerce»). For example, e-commerce (e-commerce) is defined as «conducting business communications and transactions over networks and through computers, or the buying and selling of goods and services, and the transfer of funds, using digital communications (Berger, 2008). According to others, e-commerce is an automated commercial activity based on the use of telecommunication networks, primarily the Internet; information technologies, including web services; and special legal norms, standards, protocols, and classifiers (Gavrilov, 2020). Some authors believe that e-commerce is a sector of the economy that encompasses all financial and commercial transactions conducted via computer networks and the business processes associated with such transactions (<https://cdb.kz/>).

As the Internet increasingly permeates the global space, the number of its users grows day by day. Concurrently, the services that users can access via the Internet are also evolving. Internet technologies offer significant conveniences for buyers: considerable time savings, the ability to pay for purchased

items with electronic money, home delivery options, a wide assortment of goods, and relatively lower prices. There are well-known online stores that have become established brands, demonstrating their reliability. Consumers can quickly examine the available assortment, view photographs of products from various perspectives, and familiarize themselves with their technical specifications. The cost of delivering goods, often handled by courier companies, is typically affordable, fast, of good quality, and convenient for the buyer.

The primary legal sources regulating relations in online commerce include the Civil Code of the Republic of Kazakhstan, the Law of the Republic of Kazakhstan «On Consumer Rights Protection», the Law of the Republic of Kazakhstan «On Advertising», the Law of the Republic of Kazakhstan «On Electronic Document and Electronic Digital Signature» and others.

The consumer is a participant in socio-economic relations who purchases goods or pays for services rendered to them. They also represent a segment that is an object of state policy, which, in turn, aims to protect consumer rights. Furthermore, the consumer is one of the vulnerable elements of this policy, based on several factors:

Technological factor: The emergence of new technologies, artificial intelligence, and novel online platform models has raised questions regarding transparency, security, and ethics in the use of consumer data.

Protection of parties' rights: The consumer often acts as a citizen with fewer resources and lacks professional knowledge regarding the protection of their interests.

If the consumer is the individual purchasing goods or services, then there is another party in the market – the seller.

Thus, the «seller» is an individual or organization that sells goods or services for appropriate remuneration. When a sale occurs, it is often said that a purchase-sale transaction has been concluded. The other participant in the transaction is the «buyer» (client, consumer). The seller pursues a specific goal in the transaction – to make a profit, whereas the «consumer» buys goods not for subsequent resale, but for personal or family use.

The words «buyer» and «consumer», at first glance, might appear to be synonymous. However, this is not the case. A buyer can make a purchase for further resale «for the purpose of profit», while a consumer acquires goods or services for personal use, for household and family needs.

The phrase «consumer rights» has become so familiar to us that it resembles a stable idiomatic expression.

According to Kazakhstani legislation, the consumer has the right to information about the product and the seller, to product safety, to exchange or return goods of both appropriate and inappropriate quality, and to compensation for losses incurred due to the inadequate quality of services rendered. Consumers, both in traditional trade and in the e-commerce sector, often encounter situations where sellers do not respond to complaints or refuse to exchange or return goods. Some sellers openly display notices stating, «goods are not subject to exchange or return».

From the moment of birth, each of us is a consumer of various goods and services. According to the Constitution of the Republic of Kazakhstan, «human rights and freedoms belong to everyone from birth» (<https://online.zakon.kz/>). As consumers, every citizen of the Republic of Kazakhstan has the right, from birth, to receive safe goods and services of appropriate quality. However, as practice shows, consumer rights are not always protected.

According to Article 1, paragraph 15 of the Law «On Consumer Rights Protection», a consumer is an individual who intends to order or purchase, or who orders, purchases, and/or uses goods (work, services) exclusively for personal, family, household, and other purposes not related to entrepreneurial activity (<https://online.zakon.kz/>). This definition is not exhaustive and indicates that the law establishes protection for the weaker party in legal relations. It should be noted that the law regulates the ability of consumers to purchase goods, works, and services of appropriate quality, while also entitling them to protect their information as consumers and to demand compensation for damages incurred in the digital space.

For instance, companies like Google and others frequently face criticism for collecting and using users' personal information without their full consent, which includes tracking online activities, personal surveillance, and using this data for advertising purposes. A precedent was the case involving Google and Cambridge Analytica, where the data of millions of users was utilized to create political advertising campaigns. Subsequently, the company independently settled the matter and paid bonuses to each consumer to resolve the conflict. Often, in response to risks arising for consumers in the digital space, the state responds by introducing new aspects of norms into the legal system to regulate



these risks. According to UNCTAD data, laws on consumer rights protection concerning digital issues are in effect in approximately 115 countries (Minnebaev 2023: 2).

It is no secret that in the modern world, the volume of goods turnover in online trade is increasing year by year. Kazakhstanis readily order selected goods from online stores because it is convenient and, in a number of cases, advantageous. At the same time, the risks associated with purchasing goods via online trade are also increasing. The consumer may not be provided with the paid-for goods, may be given a different product, or goods of inadequate quality, and may be refused a return or exchange for both appropriate and inadequate quality goods. In these situations, it becomes difficult for the consumer to achieve justice, as, typically, the online store is located in another city or even another country.

Online trade presents a number of the following dangers, specifically: the impossibility of preliminarily assessing the consumer properties of the product, hence the risk of fraud; increasing dependence of suppliers of goods (services) on markets; and a fundamental reshaping of the employment structure and the qualification requirements for labor resources in trade. Consumer rights are violated in both retail and e-commerce. Sellers refuse to exchange or return goods, do not respond to consumers' written complaints, and often the consumer does not know where to send a complaint and lacks information about the seller's details and name as a business entity.

In contemporary legal literature, one can observe how some authors focus on the main problems of legal supervision of goods turnover in the internet space. Currently, the most significant and pressing issue in the legal supervision of goods turnover in cyberspace is the problem of user identification. The problem lies in the specifics of concluding contracts in electronic form. Furthermore, a particular aspect of this issue involves electronic signatures and the protection of user data. Due to amendments to the Law of the Republic of Kazakhstan «On Electronic Document and Electronic Digital Signature» (<https://online.zakon.kz/>), it is stipulated that the personal data of citizens of the Republic of Kazakhstan must be stored and processed exclusively within the territory of the Republic of Kazakhstan, which often poses an obstacle when purchasing goods from abroad.

Secondly, the issue of information intermediation is also a significant concern. When selecting a product in an online store, it is crucial to pay close

attention to the information provided by the seller regarding the product and the terms of purchase. Furthermore, the owners of many websites on the Internet are not the owners of the servers themselves but are merely users (e.g., of hosting services). To host websites on a server, they engage the services of IT specialists, who, in turn, may have access to special configurations. Consequently, when choosing a product remotely, a consumer may receive incorrect or irrelevant information about the product itself, its features, and its characteristics.

According to Article 1, paragraph 65 of the Tax Code of the Republic of Kazakhstan, electronic trade in goods is defined as entrepreneurial activity involving the sale of goods to individuals, conducted with the aid of information technologies via an online store and/or an internet platform, provided there is either an in-house service for delivering goods to the buyer (recipient) or contracts with persons providing freight transportation, courier, and/or postal services (<https://online.zakon.kz/>).

One of the key objectives of the «Digital Kazakhstan» state program is the development of e-commerce. A target indicator, a 2.6% share of e-commerce in the total trade volume of the Republic of Kazakhstan, was achieved in 2022 (<https://akorda.kz/ru/>).

E-commerce in Kazakhstan is demonstrating phenomenal growth. According to the results of joint research by the «Digital Kazakhstan» Association and «PwC Kazakhstan», the rapid growth of e-commerce in the Republic of Kazakhstan continues: in 2022, approximately 50 million online purchases were made, amounting to 1.3 trillion tenge. The volume of Kazakhstani e-commerce constitutes 8.2 percent of the country's total domestic retail trade. Consumers are increasingly purchasing items of daily demand, such as household goods and food products, beauty and health products, children's goods, and pet supplies (<https://tengrinews.kz/>).

Online trade is a form of retail trade. In this context, legal relations are similar and can be divided into two categories:

1. Consumer relations. Consumers and entrepreneurs (product manufacturers, sellers) engage in mutual interaction.
2. The role of the state in regulating entrepreneurial activity. This occurs between local self-government bodies and entrepreneurs within the process of state management of the entrepreneurial sphere. These actions are aimed at ensuring and protecting national and public interests. It should be noted that

entrepreneurial activity within online relations is systemic in nature.

Globally, 33% of the population, approximately 2.8 billion people, shop via online stores. This accounts for 21% of all retail sales. It is projected that this figure will increase to 22.6% within the next two years. Major trading platforms from China, the USA, and the United Kingdom are in high demand among consumers (<https://24.kz/>).

Although domestic online stores in our country are developing in step with the times, the vast majority of Kazakhstanis make purchases from foreign online stores. This is evidenced by platforms such as China's «Alibaba», which offers over a million products, «Joom», which sells Korean cosmetics and goods currently popular among women, and various other foreign stores.

Alibaba.com is one of the marketplaces belonging to the Chinese transnational company Alibaba Group, which also operates Taobao. Alibaba.com was founded in 1999 with the aim of connecting suppliers from China with buyers from abroad, primarily from the United States. Currently, it is one of the world's largest B2B (Business-to-Business) wholesale e-commerce platforms. According to official data, in 2020, Alibaba.com connected over 150 000 suppliers to a network of more than 10 000 000 global buyers located in over 190 countries and regions.

The dynamics of e-commerce volume in Kazakhstan demonstrate a stable growth rate. For example, according to Euromonitor International, an international market research company, while the e-commerce volume was 374.2 billion tenge in 2017, it rose to 523.3 billion tenge in 2018, 612 billion tenge in 2019, 1,208.9 billion tenge in 2020, and 1,427.7 billion tenge in 2021. Examining major product categories, it can be observed that in the year these figures primarily relate to (likely 2021, based on the preceding data), Kazakhstanis spent the most online on clothing, footwear, and various accessories (423.9 billion tenge), and household appliances and electronics (355 billion tenge). Kazakhstanis spent the least online on household goods (99.1 billion tenge), beverages and tobacco products (69.9 billion tenge), food products (45.5 billion tenge), and health and beauty products (29 billion tenge) (<https://ridero.ru/>).

Globally, China ranks first in online trade. There, the share of e-commerce in the national retail trade turnover is 23.7 percent. In the United States, over 10,000 stores have closed in the last two years, and it is possible that 20-25 percent of shopping cen-

ters there may close in the next five years. While the development of online trade in that country stands at 10.8 percent, in South Korea it is 7.2 percent (<https://7-su.kz/>).

In 2019, approximately 1.5 billion people, or 27 percent of the world's population aged 15 and older, shopped online. The proportion of those shopping via the Internet is significantly lower in low-income countries, whereas in high-income countries, more than half of the population made purchases online ([www.unctad.org/ict4d](http://www.unctad.org/ict4d)).

In our country, in 2024, this sector accounted for 23% of all consumer complaints. The main grievances from citizens were related to the lack of information about sellers, the non-conformity of goods to their descriptions, and refusals to issue refunds (<https://www.facebook.com/>). This situation facilitated a clearer definition of responsibilities and regulatory mechanisms for e-commerce platforms. E-commerce platforms are now obligated to implement internal rules for authorizing sellers, including registration and authentication processes. Contracts with sellers must stipulate mandatory compliance with consumer rights legislation, including the provision of complete information about the product and the seller. To strengthen platform oversight, sanctions can be applied to offending sellers, potentially including the blocking of their accounts. Furthermore, consumers are to be given access to certificates of conformity for goods; such a system aims to enhance transparency and trust in the online sales system.

The need for normative legal regulation of the e-commerce sector also stems from changes in the institutional content of economic relations. The transborder nature of e-commerce, along with the obligations of states within integration unions and other international agreements, complicates the development of effective tools for regulating the e-commerce sphere.

The primary element of technological progress at the end of the 20th century was the computerization of industrial production and other sectors of the economy, which was superseded by digitalization at the beginning of the 21st century. At its core, digitalization invariably involves more complex technologies—not necessarily confined to the telecommunications sector—that are capable of significantly altering the processes of interaction between economic agents and the methods of organizing production.

Research into the essence of economic relations in e-commerce has revealed changes in the theory of competitive advantages within the inter-

net economy: if the competitiveness of traditional trade participants depended on their production conditions and ICT (Information and Communication Technologies) endowment, then in digital trade, competitiveness is determined by the development of the e-commerce ecosystem. Without access to the global market offered by e-commerce, traditional economic factors of competitiveness become ineffective.

Due to the transborder nature of e-commerce, some countries can derive significant benefits from its development, while others may suffer losses as traditional trade, conversely, undergoes a regression. To avoid being among the latter, state intervention in the e-commerce sphere is necessary. In this regard, regulation should be aimed at equalizing competitive conditions for foreign and domestic suppliers, creating the necessary e-commerce infrastructure, and also stimulating the entrepreneurial activity of domestic enterprises in the e-commerce sector by providing tax incentives and other support measures.

The effective development of e-commerce depends on factors such as telecommunications infrastructure and the accessibility of data transmission, the level of digital literacy among the population, the provision of consumer rights protection, the legislative framework, logistical infrastructure, as well as the development of non-cash payment instruments.

The need to integrate Kazakhstani small and medium-sized enterprises (SMEs) into global e-commerce platforms like Alibaba is driven by two principal reasons:

1. The outsourcing of services related to payment, delivery, returns, accounting, and dispute resolution for SMEs increases the cost of conducting business online, thereby rendering them uncompetitive.

2. The small market size in Kazakhstan does not permit the scaling of domestic e-commerce projects. Connection to the global supply chain allows them to reduce transaction costs and increase market coverage without needing a physical presence in the country of sale.

Due to the lack of necessary digital skills among Kazakhstani entrepreneurs, the state is providing them with support in the form of consulting and legal assistance to facilitate their entry into large marketplaces.

The creation of specialized e-commerce platforms contributes to its active development; therefore, in this context, it is crucial to create the necessary conditions for the emergence of powerful

domestic marketplaces in Kazakhstan or within the Eurasian Economic Union (EAEU). The introduction of restrictive measures concerning the activities of foreign suppliers through tariff regulation is also important.

Given that a general marketplace of a global standard has not yet formed within the Kazakhstan and EAEU market, it is highly important for local entrepreneurs to access existing global platforms to sell domestic goods outside the EAEU.

The development of online trade makes markets accessible for thousands of entrepreneurs, including those in the regions of Kazakhstan. Barriers for businesses seeking to enter national and international levels are reduced, and this also promotes digitalization and increases the transparency of financial operations.

The digital environment offers vast opportunities for consumers but simultaneously presents new challenges in protecting their rights. The absence of binding international agreements, the lack of generally accepted mechanisms for resolving disputes on international and foreign internet platforms, as well as fraud and the sale of consumers' personal data, are issues exacerbated by the lack of, and delays in implementing, proposed measures for resolving disputes. Despite the existence of various forms and methods for regulating issues related to consumer rights protection, many aspects still arise daily in disputes between parties; their resolution requires special attention and control from the state.

## Conclusion

The UNCTAD B2C E-commerce Index characterizes the potential for e-commerce development in Kazakhstan. Consequently, as opportunities for developing e-commerce in Kazakhstan increase, so too do the attendant threats and risks. To enhance the competitiveness of the network economy, it is necessary to systematically form the e-commerce infrastructure, including domestic and international trading platforms, logistics centers, and online stores.

In this regard, it is pertinent to highlight the state's role in the development of digital trade in Kazakhstan:

1. The prerequisites for the active development of digital trade are the processes of digitalization and economic globalization. As digital trade evolves worldwide, Kazakhstan must take timely action to avoid falling behind in this process. If Kazakhstan can take the necessary actions now and transition

from being merely an observer to an active participant in this process, many future outcomes will yield a beneficial impact. In this context, we believe it is advisable to establish a research organization, akin to a National Center, dedicated to the development of digital trade in Kazakhstan. This organization would focus on seeking new perspectives, ensuring the appropriate and timely implementation of global processes within our state, and analyzing the current status of digital trade development in Kazakhstan.

2. Creating favorable conditions for the development of digital commerce is essential, namely, by providing land for the construction of warehouses in the regions and improving logistics networks.

3. Given that traditional trade is receding and digital trade is progressively taking its place, it is evident that the demand for specialists in the burgeoning field of digitalization will increase. Accordingly, it is necessary to implement measures for training specialists in digital commerce, including organizing training courses and programs for rural

residents, and arranging qualification enhancement initiatives for individuals engaged in entrepreneurship.

4. To strengthen consumer rights protection, additional regulatory measures are stipulated in the new edition of the Law «On Consumer Rights Protection.» Specific concepts such as «e-commerce platform (marketplace)», «online store», and «information-advertising platform» have been introduced into the Law. In this respect, it is proposed to expand the definition of the term «Electronic Commerce», which would facilitate the regulation of issues concerning violations of consumer rights when ordering services and work via various mobile applications.

It is further proposed to supplement the fundamental principles of consumer rights protection with provisions ensuring the mandatory protection of consumers' personal data, and stipulating the inadmissibility of entrepreneurs including contractual terms that violate and/or infringe upon the rights and legitimate interests of consumer

### Literature

Анализ мирового опыта развития промышленности и подходов к цифровой трансформации промышленности государств-членов Евразийского экономического союза. Евразийская экономическая комиссия. – Москва, 2017: [http://www.eurasiancommission.org/ru/act/prom\\_i\\_agroprom/dep\\_prom/](http://www.eurasiancommission.org/ru/act/prom_i_agroprom/dep_prom/).

«Қазақстан Республикасының 2025 жылға дейінгі Стратегиялық даму жоспарын бекіту және Қазақстан Республикасы Президентінің кейбір жарлықтарының күші жойылды деп тану туралы» Қазақстан Республикасының Президенті Жарлығының жобасы туралы» Қазақстан Республикасы Үкіметінің 2017 жылғы 30 қарашадағы № 799 қаулысы. «Әділет» Қазақстан Республикасы нормативтік құқықтық актілерінің ақпараттық-құқықтық жүйесі. <https://adilet.zan.kz/kaz/docs/P1700000799>. Жүгінген күні: 18.12.2024 ж.

«Ақпараттық-коммуникациялық технологиялар саласын және цифрлық саланы дамыту тұжырымдамасын бекіту туралы» Қазақстан Республикасы Үкіметінің 2021 жылғы 30 желтоқсандағы № 961 қаулысы (күшін жойған) // «Әділет» Қазақстан Республикасы нормативтік құқықтық актілерінің ақпараттық-құқықтық жүйесі. – URL: <https://adilet.zan.kz/kaz/docs/P2100000961>. Жүгінген күні: 18.12.2024 ж.

Бергер Э. Дж. Е-коммерция и цепи поставок: ломка прежних границ / Управление цепями поставок. Под ред. Дж. Л. Гатторны. – М.: Инфра-М, 2008. – 670 с.

Гаврилов, Л. П. Организация коммерческой деятельности: электронная коммерция: учебное пособие для среднего профессионального образования / Л. П. Гаврилов. – 3-е изд., доп. – Москва : Издательство Юрайт, 2020. – 477 с.

Муслимова С. Все об электронной торговле [Электрондық ресурс]. -2018.- <https://cdb.kz/sistema/biblioteka-bukhgaltera/articles/vse-ob-elektronnoy-torgovle/> жүгінуге күні : 25.01.2025.

Қазақстан Республикасының Конституциясы 1995 жылғы 30 тамыз (2022.19.09. берілген өзгерістер мен толықтыруларымен). [https://online.zakon.kz/Document/?doc\\_id=51005029](https://online.zakon.kz/Document/?doc_id=51005029).

«Тұтынушылардың құқықтарын қорғау туралы» Қазақстан Республикасының 2010 жылғы 4 мамырдағы № 274-IV Заңы (2024.08.06. берілген өзгерістер мен толықтырулармен). [https://online.zakon.kz/Document/?doc\\_id=30711870&pos=3;-106#pos=3;-106](https://online.zakon.kz/Document/?doc_id=30711870&pos=3;-106#pos=3;-106).

Миннебаев Р.А. «Актуальные проблемы защиты прав потребителей в цифровом пространстве». Content is licensed under the Creative Commons Attribution 4.0 license (CC-BY 4.0). Издательский дом «Среда». <https://phsreda.com/e-articles/10552/Action10552-109520.pdf>. С.-2.

«Электрондық құжат және электрондық цифрлық қолтаңба туралы» 2003 жылғы 7 қаңтардағы № 370-II Қазақстан Республикасының Заңы (2025.07.01. берілген өзгерістер мен толықтырулармен). [https://online.zakon.kz/Document/?doc\\_id=51035484](https://online.zakon.kz/Document/?doc_id=51035484).

«Салық және бюджетке төленетін басқа да міндетті төлемдер туралы» 2017 жылғы 25 желтоқсандағы № 120-IV Салық кодексі (Салық кодексі) (2025.01.01. берілген өзгерістер мен толықтырулармен). [https://online.zakon.kz/Document/?doc\\_id=33236181](https://online.zakon.kz/Document/?doc_id=33236181).



Стратегии и Программы. – URL: [https://akorda.kz/ru/official\\_documents/strategies\\_and\\_programs](https://akorda.kz/ru/official_documents/strategies_and_programs). Жүгіну күні : 29.01.2025 ж.

Электронная коммерция в Казахстане показывает феноменальный рост. [https://tengrinews.kz/kazakhstan\\_news/elektronnaya-kommertsiya-kazahstane-pokazyivaet-496625/](https://tengrinews.kz/kazakhstan_news/elektronnaya-kommertsiya-kazahstane-pokazyivaet-496625/).

«Әлемде халықтың 33%-ы интернет арқылы сауда жасайды». <https://24.kz/kz/zha-aly-tar/lemde/689901-lemde-khaly-ty-33-internet-ar-uly-sauda-zhasajdy>.

Электронная торговля в Китае. [https://ridero.ru/books/elektronnaya\\_torgovlya\\_v\\_kitae/freeText/#freeTextContainer](https://ridero.ru/books/elektronnaya_torgovlya_v_kitae/freeText/#freeTextContainer).

«Көбісі бірден өтіп кетеді» : онлайн сауданың пайдасы мен зияны. <https://7-su.kz/m/news/show/8508/>.

THE UNCTAD B2C E-COMMERCE INDEX 2020 Spotlight on Latin America and the Caribbean // UNCTAD Technical Notes on ICT for Development: UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT No17 [Электрондық ресурс]. -2020.-20 с. – [www.unctad.org/ict4d](http://www.unctad.org/ict4d) ( жүгіну күні : 22.01.2025).

Электрондық коммерция: цифрлық дәуірдегі қорғаныс. <https://www.facebook.com/groups/960018204369169/posts/2367009390336703/>.

## References

Analiz mirovogo opyta razvitiya promyshlennosti i podhodov k tsifrovoi transformatsii promyshlennosti gosudarstv-chlenov Evraziiskogo ekonomicheskogo soiuza. Evraziiskaia ekonomicheskaya komissia. – Moskva, 2017: [http://www.eurasiancommission.org/ru/act/prom\\_i\\_agroprom/dep\\_prom/](http://www.eurasiancommission.org/ru/act/prom_i_agroprom/dep_prom/).

«Kazakstan Respublikasynyn 2025 zhylyga deiingi Strategialyk damu zhosparyn bekitu zhane Kazakstan Respublikasy Prezidentinin kebir zharlyktarynyn kushi zhoilydy dep tanu turaly» Kazakstan Respublikasynyn Prezidenti Zharlygynyn zhobasy turaly Kazakstan Respublikasy Ukimetinin 2017 zhylygy 30 karashadagy № 799 kaulysy. «Adilet» Kazakstan Respublikasy normativtik kukyktyk aktilerinin akparattyk-kukykytyk zhuiesi. <https://adilet.zan.kz/kaz/docs/P1700000799>. Zhuginu kuni : 18.12.2024 zh.

«Akparattyk-kommunikatsialyk tehnologialar salasyn zhane tsifirlyk salany damytu tuzhirimdasyyn bekitu turaly» Kazakstan Respublikasy Ukimetinin 2021 zhylygy 30 zheltoksandagy № 961 kaulysy (kushin zhoigan) // «Adilet» Kazakstan Respublikasy normativtik kukyktyk aktilerinin akparattyk-kukykytyk zhuiesi. – URL: <https://adilet.zan.kz/kaz/docs/P2100000961>. Zhuginu kuni : 18.12.2024 zh.

Berger E. J. E-коммерция и тесопи поставок : ломка презнних гранитс / Upravlenie tsepiami postavok. Pod red. J.L. Gattorny. – M.: Infra-M, 2008. – 670 s.

Gavrilov, L.P. Organizatsia kommercheskoi deiatelnosti : elektronnaia kommertsia: uchebnoe posobie dlia srednego professionalnogo obrazovaniya / L.P. Gavrilov.- 3-e izd., dop. – Moskva : Izdatelstvo Urait, 2020. – 477 s.

Muslimova S. Vse ob elektronnoi trgovle [Elektronnyk resurs]. -2018.- <https://cdb.kz/sistema/biblioteka-bukhgaltera/articles/vse-ob-elektronnoy-torgovle/> zhuginu kuni : 25.01.2025.

Kazakstan Respublikasynyn Konstitutsiasy 1995 zhylygy 30 tamyz (2022.19.09. berilgen ozgerister men tolyktyrularymen). [https://online.zakon.kz/Document/?doc\\_id=51005029](https://online.zakon.kz/Document/?doc_id=51005029).

«Tutynushylardyn kukyktyryn korgau turaly» Kazakstan Respublikasynyn 2010 zhylygy 4 мамыrdagy № 274-IV Zany (2024.08.06. berilgen ozgerister men tolyktyrularymen). [https://online.zakon.kz/Document/?doc\\_id=30711870&pos=3;-106#pos=3;-106](https://online.zakon.kz/Document/?doc_id=30711870&pos=3;-106#pos=3;-106).

Minnebaev R.A. «Aktualnyie problem zashity prav potrebitelei v tsifrovom prostranstve». Content is licensed under the Creative Commons Attribution 4.0 license (CC-BY 4.0). Izdatelski dom «Sredaa». <https://phsreda.com/e-articles/10552/Action10552-109520.pdf>. S.-2.

«Elektronnyk kuzhat zhane elektronnyk tsiforlyk koltanba turaly» 2003 zhylygy 7kantardagy № 370-II Kazakstan Respublikasynyn Zany (2025.07.01. berilgen ozgerister men tolyktyrularymen). [https://online.zakon.kz/Document/?doc\\_id=51035484](https://online.zakon.kz/Document/?doc_id=51035484).

«Salyk zhane buidzhetke tolenetin baska da mindetti tolemder turaly» 2017 zhylygy 25 zheltoksandagy № 120-IV Salyk kodeksi (Salyk kodeksi) (2025.01.01. berilgen ozgerister men tolyktyrularymen). [https://online.zakon.kz/Document/?doc\\_id=33236181](https://online.zakon.kz/Document/?doc_id=33236181).

Strategii i Programmy. – URL: [https://akorda.kz/ru/official\\_documents/strategies\\_and\\_programs](https://akorda.kz/ru/official_documents/strategies_and_programs). Zhuginu kuni : 29.01.2025 zh.

Elektronnaia kommertsia v Kazakhstane pokazyvaet fenomenalnyi rost. [https://tengrinews.kz/kazakhstan\\_news/elektronnaya-kommertsiya-kazahstane-pokazyivaet-496625/](https://tengrinews.kz/kazakhstan_news/elektronnaya-kommertsiya-kazahstane-pokazyivaet-496625/).

«Алемде халықтың 33%-ы интернет арқылы сауда жасайды». <https://24.kz/kz/zha-aly-tar/lemde/689901-lemde-khaly-ty-33-internet-ar-uly-sauda-zhasajdy>.

Elektronnaia trgovlia v Kitae. [https://ridero.ru/books/elektronnaya\\_torgovlya\\_v\\_kitae/freeText/#freeTextContainer](https://ridero.ru/books/elektronnaya_torgovlya_v_kitae/freeText/#freeTextContainer).

«Көбісі бірден отип кетеді» : onlain saudanyñ paidasy men ziany. <https://7-su.kz/m/news/show/8508/>.

THE UNCTAD B2C E-COMMERCE INDEX 2020 Spotlight on Latin America and the Caribbean // UNCTAD Technical Notes on ICT for Development: UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT No17 [Elektronnyk resurs]. -2020.-20 с. – [www.unctad.org/ict4d](http://www.unctad.org/ict4d) (zhuginu kuni : 22.01.2025).

Elektronnyk kommertsia : tsifirlyk dauirdegi korgany. <https://www.facebook.com/groups/960018204369169/posts/2367009390336703/>.

***Information about author:***

*Suirikpaeva Asel Oralovna – Senior lecturer of Kunaev University (Kazakhstan, Almaty, e-mail: as\_asel.084@mail.ru).*

***Автор туралы мәлімет:***

*Сюрикпаева Асель Ораловна – Қонаев университетінің аға оқытушысы (Қазақстан, Алматы қ., e-mail: as\_asel.084@mail.ru).*

***Сведения об авторе:***

*Сюрикпаева Асель Ораловна – старший преподаватель Университета Кунаев (Алматы, Казахстан, e-mail: as\_asel.084@mail.ru).*

*Registered: March 10, 2025.*

*Corrected: June 6, 2025.*

*Accepted: June 20, 2025.*